

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

David A. Williams,

Petitioner,

v.

Case No. 3:17-cv-132
Judge Thomas M. Rose

Warden Corrections Reception Center,

Respondent.

**DECISION AND ENTRY ADOPTING REPORT AND
RECOMMENDATIONS, (ECF 2), OVERRULING PETITIONER'S
OBJECTIONS TO MAGISTRATE'S REPORT AND
RECOMMENDATIONS, (ECF 3), AND DISMISSING CASE PURSUANT
TO RULE 4 OF THE RULES GOVERNING § 2254 CASES. THE CLERK
IS TO TERMINATE THE INSTANT CASE.**

On September 19, 2017, Petitioner David A. Williams filed a Petition for Writ of Habeas Corpus challenging the determination of his sentence. (ECF 1.) Magistrate Judge Michael M. Merz performed an initial review pursuant to Rule 4 of the Rules Governing § 2254 Cases determining from the petition and attached exhibits that Petitioner is not entitled to relief in the district court. (ECF 2.) On May 1, 2017, Petitioner filed an objection. (ECF 3.)

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case, taking into consideration Petitioner's objections. Upon said review, the Court finds that Plaintiff's objections, (ECF 3), to Report and Recommendations, (ECF 2), are not well taken and they are hereby **OVERRULED**. Wherefore,

the Court **ADOPTS IN FULL** the Magistrate Judge's Report and Recommendations. (ECF 2.) Pursuant to Rule 4 of the Rules Governing § 2254 Cases, the petition is **DISMISSED**. Because the resolution of the petition would not be debatable among reasonable jurists, Petitioner is **NOT GRANTED A CERTIFICATE OF APPEALABILITY** to proceed on appeal *in forma pauperis* before the United States Court of Appeals for the Sixth Circuit. The clerk is **ORDERED** to **TERMINATE** the instant case.

DONE and **ORDERED** this Tuesday, May 9, 2017.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE